

November 23, 1971

CONGRESSIONAL RECORD — SENATE

S 19521

Mr. DOMINICK. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment as modified of the Senator from Colorado. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. HARTKE), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Maryland (Mr. BYALL), the Senator from New Hampshire (Mr. CORTON), the Senator from New York (Mr. JAVITS), and the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Illinois (Mr. PERCY) is detained on official business.

The Senator from Ohio (Mr. SAXBE) is absent on official business.

If present and voting, the Senator from Illinois (Mr. PERCY) and the Senator from Maine (Mrs. SMITH) would each vote "nay."

The result was announced—yeas 59, nays 30, as follows:

[No. 393 Leg.]

YEAS—59

Aiken	Fannin	Nelson
Allan	Fong	Packwood
Allott	Gambrell	Pearson
Baker	Goldwater	Pell
Bayh	Griffin	Ribicoff
Bennett	Gurney	Schweiker
Bentsen	Hansen	Scott
Bible	Hollings	Sparkman
Boggs	Hruska	Spong
Brook	Hughes	Stafford
Brooke	Humphrey	Stevens
Buckley	Inouye	Tennesson
Case	Jackson	Taft
Cook	Jordan, Idaho	Talmadge
Cooper	Kennedy	Thurmond
Cranston	Magnuson	Tower
Curtis	Mathias	Tunney
Dole	McGee	Welcker
Dominick	McIntyre	Williams
Ervin	Miller	

NAYS—30

Anderson	Fulbright	Mondale
Bellmon	Gravel	Montoya
Burdick	Harris	Moss
Byrd, Va.	Hart	Pastore
Byrd, W. Va.	Hatfield	Proxmire
Cannon	Jordan, N.C.	Randolph
Chiles	Long	Roth
Eagleton	Mansfield	Stennis
Eastland	McClellan	Symington
Ellender	Metcalfe	Young

NOT VOTING—11

Beall	Javits	Percy
Church	McGovern	Saxbe
Cotton	Mundt	Smith
Hartke	Muskie	

So Mr. DOMINICK's amendment, as modified, was agreed to.

Mr. DOMINICK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GOLDWATER. Mr. President, I move to lay on the table.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair. The PRESIDING OFFICER (Mr. GRAVEL). The Chair recognizes the Senator from Missouri.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the Senator from Montana.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session, to consider certain nominations at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S. COURTS

The assistant legislative clerk read the following nominations, which were favorably reported earlier today by the Committee on the Judiciary:

James S. Holden, of Vermont, to be a U.S. district judge for the district of Vermont.

Ralph F. Scalera, of Pennsylvania, to be a U.S. district judge for the western district of Pennsylvania.

Clarence C. Newcomer, of Pennsylvania, to be a U.S. district judge for the eastern district of Pennsylvania.

Charles M. Allen, of Kentucky, to be a U.S. district judge for the western district of Kentucky.

Alfred T. Goodwin, of Oregon, to be a U.S. circuit judge for the ninth circuit.

Levin H. Campbell, of Massachusetts, to be a U.S. district judge for the district of Massachusetts.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I am very glad that the Senate has confirmed this evening Judge Charles M. Allen of Louisville, Ky., to be a U.S. district judge for the western district of Kentucky.

The nomination of Judge Allen by President Nixon has received wide approval in Kentucky. By reason of education, experience as a practicing lawyer and as an elected circuit court judge, a court of general jurisdiction in the Commonwealth of Kentucky, Judge Allen has superior qualifications. He is a man of fine and respected family background, of the highest integrity, and he is held in high regard by the bar, his colleagues of the judiciary and by the people of Louisville and Jefferson County.

I am sure that Judge Allen will fill his important office with great ability and honor.

LEGISLATIVE SESSION

By unanimous consent that the Senate return to the consideration of legislation business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE
APPROPRIATIONS, 1972

The Senate resumed the consideration of the bill (H.R. 11731) making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes.

Mr. SYMINGTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats, and attachés will leave the Chamber.

INTELLIGENCE—THE GREAT WASTE IN
GOVERNMENT

Mr. SYMINGTON. Mr. President, a premise to these observations, and the amendment which I thereupon plan to offer to this military appropriation bill, is based on a belief that the Senate is as much interested in the question of the overall structure and functioning of our intelligence apparatus as is the House of Representatives.

The PRESIDING OFFICER. Will the Senator send his amendment to the desk, so that it may be reported?

Mr. SYMINGTON. The amendment is at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 49, between lines 2 and 3, insert the following:

SEC. 745. None of the funds appropriated in this Act in excess of \$4,000,000,000 may be available for expenses by the Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency, and for intelligence work performed by or on behalf of the Army, Navy, and the Air Force.

Mr. SYMINGTON. Mr. President, one notes that earlier this month, in its report to the House, the House Committee on Appropriations made the following observations; and inasmuch as those observations confirm both our own thinking and our findings over recent years, I will read them into the Record at this point:

The Committee feels that the intelligence operations of the Department of Defense have grown beyond the actual needs of the Department and are now receiving an inordinate share of the fiscal resources of the Department.

Redundancy is the watchword in many intelligence operations. The same information is sought and obtained by various means and by various organizations.

Coordination is less effective than it should be.

Far more material is collected than is essential.

Material is collected which cannot be evaluated in a reasonable length of time and is therefore wasted.

New intelligence means have become available and have been incorporated into the program without offsetting reductions in old procedures.

As noted in this House report, their conclusions were based on extensive hearings—let us note also that last year this House Committee held extensive hearings on the Department of Defense, the bulk of which proceedings were included in the public record.

During these hearings, the then Assistant Secretary of Defense, now Secretary of the Army, Secretary Froehke, who had been directed by the Secretary of Defense to review the intelligence programs, also testified that he was surprised to find that there was no comprehensive inventory of DOD intelligence assets. He thereupon stated that he concurred with the committee's expressed concern about duplication in the intelligence community.

In addition, this report states that the committee expects to review the intelligence program in total during the hearings on the fiscal year 1973 budget request.

In reviewing the hearings and reports of interested Senate committee's, we can find no comparable interest on their part with respect to the billions appropriated annually for intelligence.

Back in 1966, as a member of both the CIA Subcommittee of the Senate Armed Services Committee and also the Senate Foreign Relations Committee, I became concerned that, because of their lack of knowledge of certain intelligence matters bearing on foreign policy, members of the Foreign Relations Committee were not in a position to make intelligent judgment of certain U.S. policies overseas. Accordingly, I presented this situation as I saw it to the then chairman of Armed Services, the late Senator Russell.

At the beginning of the 90th Congress, in January 1967, Chairman Russell invited three members of the Foreign Relations Committee to sit with the CIA Subcommittee of Armed Services, which committee also included members of the Senate Appropriations Committee. This arrangement presumably continues, but the members of the Foreign Relations Committee participate as a matter of grace, not of right. I say presumably because in any case said CIA Subcommittee has not met once this year, and from what I understand does not plan to meet.

During a markup last week of military appropriations by the Senate Defense Appropriations Subcommittee, no mention was made of the multibillion dollar appropriation requests contained in this bill for most of the some 15 intelligence operating or/and advisory groups in the executive branch of this Government.

As an ex officio member of Appropriations because of being the ranking member of the Armed Services Committee, after the subcommittee meeting I called the staff of Appropriations to ask in general about the intelligence appropriations; but I was told that, except for the five senior members of the Senate Appropriations Committee, they had been instructed not to talk about these multibillion dollar intelligence appropriations, even to the other members of the Appropriations Committee.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

That is such a shocking statement that I thought some attention should be called to it.

Mr. SYMINGTON. I am glad to yield to the able Senator.

Mr. FULBRIGHT. The statement the Senator made is a very serious charge

made, and later that day—Saturday—a member of that organization delivered the White House press release to my home, stating that the press release was all the Agency knew about it at the time.

It is clear to anyone familiar with the executive branch that this reorganization: First, could be turning over the intelligence operation to the military—exactly what the National Defense Act of 1947 took careful steps to prevent—and second, places policy control of intelligence in a new committee in the White House, headed by the Assistant to the President for National Security Affairs, Mr. Kissinger, on this committee sit both the Attorney General and the Chairman of the Joint Chiefs of Staff, as well as the Deputy Secretaries of State and Defense.

Mr. SYMINGTON. I thank the Senator for his contribution.

Mr. FULBRIGHT. Does the Senator know of any precedent for this?

Mr. SYMINGTON. I do not.

Mr. FULBRIGHT. Did the Senator ever have this experience before?

Mr. SYMINGTON. No; I did not.

Mr. FULBRIGHT. That is what I mean. This is the only time I have ever heard of it.

Mr. SYMINGTON. This means that these billions of dollars of the taxpayers' money are being authorized and appropriated by the Senate with the knowledge and approval of just five of its Members.

As a result of their 3-year investigation—1969-71—of our worldwide treaties and commitment, both staff teams of the Senate Subcommittee on U.S. Security Agreements and Commitments Abroad of the Foreign Relations Committee found heavy duplication—therefore, waste—of the taxpayers' money, in the intelligence field; and, perhaps even more important, they found many conditions which were not known by those on the Senate committees designated to review our military and political policies and position with other countries.

The cover story in a recent issue of Newsweek magazine confirms this confusion and waste, and details general dissatisfaction with much of it. The article states that President Nixon's "major complaints are faulty intelligence, runaway budgets, and a disparity between a glut of facts and a poverty of analysis."

Mr. President, several times today on the floor, people have justified their position on the grounds the President felt this way, or felt that way. Now let me repeat how the President feels about this matter, according to this article:

President Nixon's "major complaints are faulty intelligence, runaway budgets and a disparity between a glut of facts and a poverty of analysis."

This article also asserts:

Bureaucracy has transformed what began as an amateurish happy few into a sprawling intelligence conglomerate encompassing more than a dozen government agencies, 200,000 employees and a budget of some \$6 billion a year.

As one Member of the Senate, despite my committee assignments, I do not know whether those figures are accurate or inaccurate, too large or too small.

Earlier this month, the news media began calling me one evening about a major reorganization in the intelligence field that had just been announced by this Government. I told them the truth—that I knew nothing about it.

The press carried a story about this reorganization the next morning. I thereupon called the news media and told them

and later that day—Saturday—a member of that organization delivered the White House press release to my home, stating that the press release was all the Agency knew about it at the time.

It is clear to anyone familiar with the executive branch that this reorganization: First, could be turning over the intelligence operation to the military—exactly what the National Defense Act of 1947 took careful steps to prevent—and second, places policy control of intelligence in a new committee in the White House, headed by the Assistant to the President for National Security Affairs, Mr. Kissinger, on this committee sit both the Attorney General and the Chairman of the Joint Chiefs of Staff, as well as the Deputy Secretaries of State and Defense.

This gives Executive privilege to the final policymakers, and therefore, except for the power of the purse, enables said policymakers to, in effect, take the entire question of intelligence out of the hands of Congress.

The fact that I do not think such a development is right or proper, Mr. President, is the basic thrust of the amendment that I am offering this evening.

I thereupon made a short talk on the floor of the Senate delineating this extraordinary development, and protesting that such a major change incident to our overall security should not be made without the knowledge let alone the approval, of anybody in the Senate; and I ask unanimous consent that this talk be inserted at the end of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. The Chairman of the newly formed White House Intelligence Committee, Dr. Kissinger, thereupon called me and said I was right, that the change should have been discussed with the proper committees of Congress, that the reorganization details had been handled by Mr. George Shultz, and that he, Kissinger, would arrange for Mr. Shultz to come down and talk to me about it.

I thanked him for his call, but said I felt any such a briefing should be given to the committees, not to an individual Member. That is the last I have heard of it.

In a recent article in the U.S. News & World Report, written by the former Executive Assistant to the Deputy Director of the CIA, a very serious charge was made—namely, that the present setup gives "the military considerable power to shape intelligence estimates." The article went on:

Whenever you're working on a problem that the military is deeply interested in—because it's affecting one of their programs, or their war in Vietnam, or something—and you're not saying what they want you to say, the browbeating starts: the delaying tactics, the pressure to get the report to read more like they want it to read, in other words, influencing intelligence for the benefit of their own operation or activity.

A former member of the CIA establishment, in a reply to these statements published in the same issue of that magazine, stated:

In both the Senate and the House there are subcommittees of both Appropriations and Armed Services. In the Senate, members of the Foreign Relations Committee are invited to join briefings of the other subcommittees.

And then states:

I submit that there is no federal agency of our government whose activities receive closer scrutiny and "control" than the CIA.

Based on the facts presented above, the reverse of that statement is true in my opinion, and it is shameful for the American people to be so misled. There is no Federal agency of our Government whose activities receive less scrutiny and control than the CIA; and the same is true of other intelligence agencies of the government who reportedly receive billions of dollars more each year than does the CIA.

I have the greatest respect for the five members of the Senate Appropriations Committee who alone of all Senators know the details of this multibillion-dollar authorization and appropriation. But I do not believe that they, and they alone, should render final decision on both said authorizations and appropriations without the knowledge, let alone the approval, of any other Senators, including those on the Armed Services Committee who are not on this five-member Subcommittee of Appropriations, and all members of the Senate Foreign Relations Committee.

The latter committees have fully as much interest in our military and political activities in foreign lands as do members of this Appropriations Subcommittee; in fact, the heads of the CIA in foreign countries operate under the supervision of the Ambassador; and those Ambassadors report to the Secretary of State.

As a matter of fact, and as anybody knows who has traveled around in these foreign countries where we are at war or in what might be called partial peace, the heads of the CIA in these countries operate under the direct supervision of the ambassador, and those ambassadors report to the Secretary of State.

Today we all know this Nation faces serious fiscal and monetary problems. Our economy is in grave trouble and one of the chief reasons for this condition has to do with our vast military expenditures at home and abroad.

With that premise, apprehension about this situation can only be increased by the fact the reorganization announced earlier this month by the White House in turn increases the influence of the military in the formulation of intelligence estimates. I was a Secretary in the Defense Department when the National Security Act of 1947 was passed—in fact I monitored the passage of that bill for Secretary Patterson—and therefore know this is exactly what President Truman and his advisers, for the obvious reasons, attempted to avoid.

The wording of the law itself makes the point. I ask unanimous consent that this wording be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. SPONGE). Without objection, it is so ordered.

(See exhibit 2.)

Mr. SYMINGTON. Mr. President, if this analysis is correct, many billions of

additional and often unnecessary dollars will be added to the defense budget, because that budget is based on intelligence estimates of the plans, programs, and production of the possible enemy; and invariably the estimates of the military have been higher than those of the civilians.

Knowledge—intelligence—about the plans and programs of the possible enemy is generally considered to be at least as important as any other factor in the formulation of the defense budget.

As but one example of that importance, there follows a colloquy between the distinguished present chairman of the Senate Appropriations Committee and former Secretary of Defense McNamara, during the defense appropriations hearings of 1967:

Senator ELLENDER. What part does the State Department take in making decisions that have resulted in the programs you are presenting to us now?

Secretary McNAMARA. That State Department is informed of, but does not affect my recommendations as to what ought to be done.

Senator ELLENDER. Are your recommendations founded solely on what you get from the JCS?

Secretary McNAMARA. No, sir; they are not. The JCS are, of course, the principal military advisers to the President by law, and of much more importance they are actually his military advisers because of their experience. But the national intelligence estimates are taken into account in my recommendations as well as other information.

Again, in that this year the CIA Subcommittee of the Armed Services Committee has not met once, it would appear there is now even more secrecy in the handling of intelligence funds; and this at a time when there is a steadily rising chorus among the people of this country for less secrecy.

Apparently some people believe that the very word "intelligence," in itself, requires that all these billions should only be authorized and appropriated in such great secrecy.

To me, this does not wash. We authorize and appropriate, through the proper congressional committees, tens of billions of dollars annually for the other component parts of the military.

There is nothing secret, for example, about the constantly referred to cost of a nuclear aircraft carrier, or the cost of the C-5A, or the cost of the main battle tank; but knowledge of these costs does not mean that either the Congress or the American public have been informed, in case of a war, how, along with our military personnel, it is planned to utilize these weapons. That would be getting into war plans, something which should be studiously avoided.

By the same token, knowledge of the overall cost of intelligence does not in any way entail the release of knowledge about how the various intelligence groups function, or plan to function.

Why should there be greater danger to national security in making public overall intelligence costs than in making public other overall security costs?

I am certain in my own mind that we

killed—if pressures, combined with unwarranted secrecy, had not been characteristic of our intelligence knowledge and activities in that country—because our political and military actions were approved by the Congress on the basis of misinformation and a lack of information.

In summary, therefore, I do not believe the Senate can meet its responsibilities, or exercise its "constitutional prerogative" if this bill is approved under these circumstances; therefore, I offer this amendment which has been read at the desk and which provides that the Senate impose a ceiling on the amount of funds in this bill that can be expended for intelligence activities during the fiscal year in question.

Responsible news media continue to assert to the American people that the cost of intelligence to the American taxpayer now runs to between \$5 billion and \$6 billion. I do not believe that figure is necessarily correct, but if it is correct, it but confirms the many informed reports we have had about duplication and waste.

I now ask for the yeas and nays.

The yeas and nays were ordered.

EXHIBIT 1

CONGRESSIONAL OVERSIGHT OF INTELLIGENCE ACTIVITIES

(Statement by Senator Stuart Symington)

Last Friday the White House announced that the President had ordered a reorganization of the intelligence community. I ask unanimous consent that their press release to this end be placed in the Record at the conclusion of these remarks.

As reported by the press, the Administration's plan creates an "enhanced leadership role" for the Director of the Central Intelligence Agency, turns more of the operating responsibility for that Agency over to the Deputy Director, and creates or reconstitutes a variety of boards, committees and groups who are charged with important responsibilities within the intelligence community.

The reported aim of the reorganization is to improve the "efficiency and effectiveness" of United States intelligence activities; and press comments on this move include references to alleged concern over the size and cost of intelligence operations; also to general unhappiness about various specific intelligence estimates. Such reports have been officially denied, but it is acknowledged that this reorganization is the result of "an exhaustive study" of the United States intelligence activities.

It could be that the reorganization announced last week by the White House is a constructive move. In recent years there has been a growing belief that there was heavy duplication and therefore waste within the overall intelligence community. Unfortunately, however, it has been impossible for the public, or even concerned members of Congress, to obtain enough information on this subject for informed judgment.

By the same token, it is equally impossible to determine, at least at this time, whether the organization changes now decreed will accomplish their stated purposes, or to determine what will be their practical effect.

One thing is clear, based on the manner in which the reorganization was handled and announced; namely, the Executive Branch does not consider either the organization, or the operation, of the intelligence community to be matters of concern

Congress regarding this reorganization, or even any advance notice of what had been decided.

In 1947 the Central Intelligence Agency was established by act of Congress. Its powers and duties are specified by law. Its Director and Deputy Director are subject to confirmation by the Senate.

Last year the Congress appropriated an amount estimated by the press to be between five and six billion dollars for the activities of this agency and the other component parts of the intelligence community.

As one member of the Senate, I will not accept the proposition that the Congress' role in organizing the intelligence community ended twenty-four years ago with the passage of the National Security Act, or that our only current and continuing responsibility is to appropriate whatever number of billions of dollars the Executive Branch requests so as to handle this work.

Last Saturday, when I learned from the press about this intelligence reorganization, as ranking member of the Senate Armed Services Committee I wrote the Chairman of that Committee, requesting hearings either by the full Committee or by the CIA Subcommittee, of which I have been a member for some fifteen years. In that letter I presented the fact that this Subcommittee has not met once this year.

This latest reorganization on the face of it raises questions about past, present and future performance of our multi-billion dollar annually intelligence community; questions such as

If it has been inefficient, what and where were its deficiencies?

In what sense does it need to be more "responsive?"

What is implied about the past by the reference in the press release to the objective of insuring "strengthened leadership" in the future?

The White House announcement offers neither answers to these questions, nor explanations of the remedies which have now been unilaterally decreed.

In order to understand properly said action by the Executive Branch, Congress should know the answers to such questions as the following:

How is the leadership role of the Director of the Central Intelligence Agency "enhanced" by the creation of a new and obviously more powerful supervisory committee chaired by the Advisor to the President for National Security Affairs, on which new Board not only sits the Attorney General but also the Chairman of the Joint Chiefs of Staff?

Has this new White House committee been given authority or/and responsibility which heretofore was the responsibility of the CIA; and which the Congress, under the National Security Act, vested in the Agency?

How can the integrity of the intelligence product be assured when responsibility for the most critical aspects of intelligence analysis is taken out of the hands of career professionals and vested in a combination of military professionals and the White House staff?

EXHIBIT 2

CENTRAL INTELLIGENCE AGENCY

Sec. 102. (a) There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability. The Director and the Deputy Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, and from individuals in civilian life: Provided, however,

That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.

Mr. GOLDWATER. Mr. President, if the Senator from Missouri will yield I do not have a copy of the Senator's amendment but I made a note as it was read.

It states:

The Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency, and for intelligence work performed by or on behalf of the Army, Navy, and the Air Force.

Now would the Senator break that down into, say, the intelligence that is acquired by a photorecon flight, one, or the intelligence—

Mr. SYMINGTON. May I ask the Senator if he is speaking on my time or on the time of the opposition?

Mr. GOLDWATER. I am not sure that I oppose it. I want merely to find out how deep the Senator wants to go.

Mr. ELLENDER. I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. GOLDWATER. I thank the Senator from Louisiana for yielding me this time.

What disturbs me, as the Senator knows as well as anyone else in this Chamber, the Army and Navy, the Air Force and the Marine Corps are always, constantly, engaged in obtaining battlefield intelligence and information, some of which applies to the kind of intelligence we are discussing here and some of which applies to intelligence needed to conduct a battle. But the thing that disturbs me is, is there any way to allocate or to determine the cost of that kind of intelligence?

Mr. SYMINGTON. I say to the Senator I do not know. No doubt millions of Americans have seen the chart in Newsweek magazine, however, a chart called "The United States Intelligence Community." It does not give figures for that agency which, to the best of my knowledge, spent by far the most money, but it does say in the chart that the Army has 38,500 intelligence staffers and a budget of \$775 million; that the Navy has 10,000. It does not give the Navy money; that the Air Force has 60,000 staffers with a budget of \$2.8 billion. It says the Central Intelligence's budget is \$750 million. It says the Defense Intelligence Agency has a budget of \$100 million and spends an added \$700 million through Armed Forces. Then it goes into additional agencies—six of them, no figures.

I am a member of Armed Services, an ad hoc member of Appropriations, a member of the CIA Subcommittee, and a member of the Foreign Relations Committee, and I would like to know what is going on in this vital field.

When we read that \$6 billion is being spent on intelligence, that may be billions of dollars too high, but I would like to know something about it.

Mr. GOLDWATER. The thing I am interested in is how we would go about the bookkeeping on

the very elementary type of intelligence-gathering that involves a patrol sent out for intelligence purposes?

Mr. SYMINGTON. The figure I state in the amendment is too high, according to some—\$4 billion.

Mr. GOLDWATER. I am not arguing with the Senator about that. I am inclined to agree with him, but I think the amendment would be better—and better understood—if we did not get down to the nitty-gritty of 1 and 1 is 2, at the sergeant or the private level, who is sent out to undertake a photo recon-flight.

I am speaking here to their problems and their costs. The question I had is: How far down the hole do we go before we stop?

Mr. SYMINGTON. Let me answer my able friend in this way. We had staff men go in certain areas of the world and they found great duplication. They found the intelligence units of the CIA, the Department of Defense, the Army, the Navy, and the Air Force all directed to particular intelligence, tremendous duplication, therefore waste.

If it is clarification that the able Senator wants, that is what I want—namely, what we are doing month after month with these gigantic sums of money being expended in the intelligence field.

If we are going to have a Congress that means anything, prerogatives, the proper Senate committees ought to be informed.

Mr. GOLDWATER. I am not arguing with the Senator.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I yield the Senator from Arizona 1 additional minute.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 1 additional minute.

Mr. GOLDWATER. Mr. President, lack of redundancy is the secret of what to my opinion is the best intelligence of the world, the British Intelligence Agency. We have three separate groups that keep piling in an input of redundancy, and each of them becomes a problem of determining which are the most valid.

I thank the Senator from Missouri.

Mr. SYMINGTON. Mr. President, again the House Appropriations Committee, this month, said:

The committee feels that the intelligence operation of the Defense Department is growing beyond the actual needs of the department and are now costing an inordinate share of the fiscal resources of the department. Redundancy is the watchword of any intelligence operation. The same information sought to be obtained by various members and various organizations is naturally less effective than it should be.

Naturally that stimulated my interest in trying to get at the facts.

Mr. STENNIS. Mr. President, I want to speak after the Senator from Louisiana. However, will the Senator yield me 2 minutes for the purpose of asking a question on that point?

Mr. ELLENDER. I yield 2 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I refer to the same sentence that the Senator referred to with respect to the intelligence of the Army, the Navy, and the

Air Force. The Senator does not mean to include what we call tactical intelligence that is done at the level of a battalion?
 Mr. SYMINGTON. No.

Mr. STENNIS. He does not mean where a colonel would order a captain to go out and patrol for the purpose of seeking out and getting prisoners to try to get intelligence about the enemy.

Mr. SYMINGTON. I would not want to include the battlefield, but I do want to include all military operations of the Central Intelligence Agency. The Secretary of Defense stated, in open session:

We have no Pentagon military operations in Laos.

I believe that is true because he said it. This means the Central Intelligence Agency is running the war in Laos, and if so, the Foreign Relations Committee and the Armed Services Committee ought to know at least something about it.

Mr. STENNIS. Mr. President, for one illustration, the Senator's amendment refers to what are in the budget items here for the Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency. That is the primary references and inclusions that are in the Senator's amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I yield 1 additional minute to the Senator from Mississippi.

Mr. SYMINGTON. No intelligence unit should evade the purposes of my amendment by delegating some of the work they would normally do to the Army, the Navy, or the Air Force.

Mr. STENNIS. I agree.

Mr. SYMINGTON. I feel that without reservation because in this article they state:

Bureaucracy has transformed what began as an amateurish happy few into a sprawling intelligence conglomerate encompassing more than a dozen government agencies, 200,000 employees and a budget of some \$6 billion a year.

Mr. STENNIS. Mr. President, I thank the Senator. We will come back to that point later. I know that the Senator from Louisiana wants to speak now.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I will be glad to yield on my own time to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I would like to say that the distinguished Senator from Missouri has opened the door on one of the great issues for the country and for the Congress.

The Senator is quite aware that he has touched on a very sensitive nerve because billions of dollars of intelligence funds are contained in this appropriation. No one can tell where in this bill those funds are. When they read a line item and find that there is so much for aircraft, or for a carrier, those may or may not be the real amounts.

This practice gives rise to questions about every item in the appropriation. I want to ask the Senator why he thinks it is necessary to keep secret the amount of money to be allocated from this appropriation.

Agency. Everyone knows what the NSA does. They read about it in the newspapers. Why is it necessary? What purpose is served by keeping it secret?

Mr. SYMINGTON. Mr. President, I do not know. Much of it slips out.

For example, on March 31, 1971, in the Senate Armed Services Committee hearing, I asked the question:

On page 2 of the congressional data sheet the last item on the table of aircraft procurement program is "classified projects" \$579,-800,000, requested for 72. This is almost one-fifth of the total aircraft procurement request. Would you please tell us briefly what are the major projects in this category.

General Crow replied:

Because of classification, it can only be provided in oral briefing.

That exchange was declassified and then made a matter of public record.

In the published hearings last year of the House Appropriations Committee, then Assistant Secretary of Defense Froehke, now Secretary of the Army, was plenty critical of the intelligence setup.

He said the cost of all military intelligence activities, excluding tactical intelligence, was \$2.8 billion; and that figure was published.

I want to be careful that through legislative history we do not counter what we are trying to do, namely, get the facts.

Mr. FULBRIGHT. Every time an appropriation comes along, we are told that the Russians are out-distancing us everywhere. We are told this by the same Senators. It is like the swallows coming back to Capistrano. And I wonder how that can be because we spend a lot more money than the Russians spend. We have asked Mr. Helms about this. One explanation may be that we devote so much of the money in this bill to nonmilitary items such as intelligence. That may be an explanation. It has always been a puzzle to me why we get so little in hardware for our money. We are told that we are a second-class power, that we do not have as many airplanes or ships as the Russians. We hear this all the time.

Either we are, or we are not, as strong as we say. Certainly we spend plenty of money. Are hearings held in the Committee on Armed Services on this issue? Has the Senator ever attended any hearings on the question of the activities of the National Security Agency?

Mr. SYMINGTON. We were briefed by the Director of the Central Intelligence Agency twice, the full committee, last January; and then again this morning.

Mr. FULBRIGHT. Did he discuss how much was spent by the National Security Agency?

Mr. SYMINGTON. I asked but he did not know.

Mr. FULBRIGHT. He does not know?

Mr. SYMINGTON. He does not know about the others, only his own in any detail.

Mr. FULBRIGHT. Is he not the head of what is referred to as the intelligence community?

Mr. SYMINGTON. He is the chairman of the National Security Council Intelligence Committee.

Mr. FULBRIGHT. Then his role is that of a chairman. He knows more about it than anyone else.

this new reorganization, should it not be Mr. Helms?

Mr. SYMINGTON. That is what we are trying to find out. It is all plenty fuzzy.

Mr. FULBRIGHT. Was there no testimony on the question of intelligence in the Committee on Armed Services that the Senator knows of?

Mr. SYMINGTON. No.

Mr. FULBRIGHT. And the Committee on Armed Services does not authorize anything specifically for intelligence?

Mr. SYMINGTON. There is no authorization in any way to pass upon intelligence activities in the Committee on Armed Services. The able chairman of the committee is in the Chamber. He could so verify.

Mr. FULBRIGHT. How long has the Senator been a member of that committee?

Mr. SYMINGTON. It will be standing 20 years next January.

Mr. FULBRIGHT. Would not the Senator have heard of such hearings if they took place?

Mr. SYMINGTON. I would think so.

Mr. FULBRIGHT. The Senator hears of all hearings that take place in the Committee on Foreign Relations. Is that correct?

Mr. SYMINGTON. Yes.

Mr. FULBRIGHT. What is the motive or reason for keeping secret the amount of money being spent, for example, by the National Security Agency, which I suspect is the largest operation? Why is the amount of money secret? I am not talking about who their spy is, if they have one. Why do they insist on secrecy about the amounts?

Mr. SYMINGTON. I do not know.

Mr. FULBRIGHT. Do they think the Russians do not know we have the National Security Agency?

Mr. SYMINGTON. The worst spy we ever discovered was probably in the National Security Agency, a sergeant who was leading a gay and double life, a spy who, when caught, killed himself.

The point of my amendment is to emphasize that we in the Committee on Armed Services and the Committee on Foreign Relations do not have anything like the necessary facts to properly allocate the increasingly limited resources of this country between international and domestic programs.

Mr. FULBRIGHT. In this overall question the Senator spoke about secrets, and there are classes of secrets, of course. The Senator talks about battlefield secrets. Nobody is asking how many men are being sent out on a foray into enemy territory. We are interested in the amount of money that goes into this bill for intelligence because it is a very large amount, I have not heard any suggestion, any legitimate reason, why that amount should be secret, other than one last suggestion. Is this just a way to cover up expenditures so there can be no accounting to the public or Congress?

Mr. SYMINGTON. There are no five gentlemen anywhere—

Mr. FULBRIGHT. That is not the question.

Mr. SYMINGTON. Let finish my sentence.

There are no five gentlemen in the Senate or anywhere else. Secret more

than these four and one lady. But this protest of mine is against the system, not the people involved.

Mr. FULBRIGHT. I hope that the Senator does not infer that my question is based on any suspicion about any Member.

Mr. SYMINGTON. No.

Mr. FULBRIGHT. If the Senator wants to raise that issue let me say that I have the greatest respect for the Senator from Louisiana and I am willing to turn the whole Senate over to him and go home because he has the experience. I am as fond of him as I am of any man in public life. That is not the question.

Mr. SYMINGTON. I agree.

Mr. FULBRIGHT. The Senator from Louisiana is a Member of this body and has been for a long time, and I am sure he does not take the position he should pass on all issues that come here because he has had long experience. That is not the system. I do not understand why the overall amount for these activities has to be secret.

Mr. SYMINGTON. Neither do I.

Mr. FULBRIGHT. It is a very bad practice because it casts doubt on this whole appropriation. When you look at an item in this bill you wonder if it is really the amount of money for the A-14, for example, or if it is for the NSA. One cannot tell what it is.

Mr. SYMINGTON. The Senator is correct.

Mr. CRANSTON. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the able Senator from California.

Mr. CRANSTON. Are there references in the appropriation bill to funds for intelligence uses?

Mr. SYMINGTON. No.

Mr. CRANSTON. How are they provided for; by padding other categories?

Mr. SYMINGTON. I am not sure I have enough knowledge to answer. Presumably yes.

Mr. CRANSTON. What is the Senator's answer on what is provided to the intelligence community?

Mr. SYMINGTON. I have heard so many varying facts that is another primary reason I introduced the amendment.

Mr. CRANSTON. The Senator has no estimate?

Mr. SYMINGTON. I have no estimate that in any way could be considered remotely accurate.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. COOPER. Do I understand that the purpose of the amendment is that as these appropriations or the money spent in these intelligence functions are not known and are not directly authorized or appropriated by Congress and the Senate, that the Senator wants to make it a matter of precedent and right that the Senate and Congress should actually authorize and appropriate these funds?

Mr. SYMINGTON. That is correct. As a matter of right, I believe there are certain committees, the Committee on Armed Services and the Committee on Foreign Relations that should know in

executive session about the authorization and appropriation of moneys in this intelligence category.

Mr. COOPER. I would make one comment.

It is always a matter that is troublesome because it could involve security, but it is a fact we learned during the last several years that without the knowledge of Congress our country has become involved in pressures that led to a long and costly war.

Mr. SYMINGTON. The Senator is so right. That is one of the primary reasons for my amendment.

Mr. ELLENDER. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, I regret that the Senator from Missouri saw fit to introduce this amendment. Of course, I am opposing it.

I have been in the Senate for 35 years. I have been on the Committee on Appropriations for about 22 or 23 years. Ever since I have been on that committee, all the appropriations affecting our sensitive intelligence program have been handled by only a few Members of the Senate and a few Members of the House. Twenty years ago we started out with two Members. That number has been increased to five, who are chosen from the Committee on Appropriations. That has been the method that has been followed all these years.

I would hesitate to have these programs submitted to the committee of the whole because of the highly sensitive nature of the material that come before us. In order to justify the amounts asked, we are told the reasons why it is needed.

My fear is that if this material were made widely available, we would do harm to our own intelligence operations. Of course these intelligence operations are a very important part of our overall defense.

I do not understand the extent of the amendment of my good friend from Missouri. The amendment reads:

The Central Intelligence Agency, the National Security Agency, and the Defense Intelligence Agency, and for intelligence work performed by or on behalf of the Army, Navy, and the Air Force.

Well, of course, much of the intelligence gathered, whether it be tactical or not, is gathered either by the CIA or the Defense Department.

This method of appropriating funds for these intelligence activities has been in effect for at least 20 years that I know of, since I have been on the committee. We five who sit on this committee hear the testimony of those applying for funds. The funds are justified to us. We ask many questions. None of this information is in writing, nor is it recorded, but it is simply given to us, and we weigh it and then recommend appropriations as is seen fitting.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield myself 5 minutes more.

There is no specific appropriation for the intelligence activities. They are

funded from many different appropriations included in the bill.

Mr. President, as I said, this is a rather ticklish subject. It is a subject that I do not care to discuss in the open. I believe that the Senator from Missouri (Mr. SYMINGTON), and, as a matter of fact, any other Senator on the committee who desires to be briefed by the Defense Department or by the Central Intelligence Agency may be briefed. We request it at times. There is nothing to stop the Senator from Missouri (Mr. SYMINGTON) or the Senator from Mississippi (Mr. STENNIS) from calling Mr. Helms before the committee to give them an idea of what he is doing. But this matter of justifying the amount of money asked in order to carry on intelligence has been for years confined to a few people, because of the sensitivity of the subject. I am very hopeful that that method can be continued.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. In 1 minute.

When I first became one of the five, I attended these hearings. The late Senator Russell was then chairman of the committee. I attended the hearings and took a good deal of interest in them. After hearing both the Defense Intelligence as well as the CIA requests, I thought that there was somewhat more money asked for than needed. So my first effort as a member of the five was to reduce the number of people engaged in intelligence. As I recall, we asked that the number of persons engaged in certain intelligence activities be reduced by 5,000, and that was done.

Mr. President, I wish to say that this year, instead of trying to reduce the number of persons, we actually reduced the amount of money requested.

I wish to point out that I have discussed this matter with Mr. MAHON, who is chairman of the House Appropriations Committee. We discussed together what ought to be done to reduce the amount of money that was requested for intelligence. I gave him a few ideas of what I proposed to do.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield myself 3 more minutes.

I wish to say that he not only listened to me, but adopted some of the ideas I gave him. So the House reduced the intelligence request by \$320 million, and the Senate committee reduced the amount by \$70 million more, making a total reduction for this year in the amount asked of \$390 million.

I think that is a substantial reduction in our intelligence. I want to pledge to the Senate that as a member of the five, I shall continue to look more deeply into this matter, in the hope of being able to cut back a good deal more than the cut made this year.

These cuts were made by our committee and by the House after careful hearings of Defense Intelligence as well as the CIA. I would hesitate to suggest that more Senators and more Members of the House be involved in this sensitive work.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. This intelligence covers a lot more than intelligence gathering. Does it not also cover, for example, the cost of the organization of the war in Laos, supported by the CIA? Would that not be included in this same amount of money? It is financed through the CIA. This is no secret. It has been published.

Mr. ELLENDER. I saw it publicized—

Mr. FULBRIGHT. Perhaps the Senator does not agree to it, but it has been published. But suppose, as a hypothetical case, that it is carried on by the CIA. Would not that operation be carried in this amount?

Mr. ELLENDER. For that activity?

Mr. FULBRIGHT. Yes, for the manpower. It has been stated that the CIA has 36,000 there. It is no secret. Would the Senator say that before the creation of the army in Laos they came before the committee and the committee knew of it and approved it?

Mr. ELLENDER. Probably so.

Mr. FULBRIGHT. Did the Senator approve it?

Mr. ELLENDER. It was not—I did not know anything about it.

Mr. FULBRIGHT. So the whole idea of Congress declaring war is really circumvented by such a procedure, is it not?

Mr. ELLENDER. Well, Mr. President, I wish to say that—

Mr. FULBRIGHT. Is it not?

Mr. ELLENDER. No; I do not think so.

Mr. FULBRIGHT. Well, if you can create an army and support it through the CIA, without anyone knowing about it, I do not know why it is not. That is a hypothetical question I am asking.

Mr. ELLENDER. I understand. But, Mr. President, I wish to say that I do not know. I never asked, to begin with, whether or not there were any funds to carry on the war in this sum the CIA asked for. It never dawned on me to ask about it. I did see it publicized in the newspapers some time ago.

Mr. FULBRIGHT. Well, this has been publicized often. But the CIA has many large operations. They operated a revolution in Guatemala some years ago, and threw out the government. But does not the Senator think Congress ought to know?

Mr. ELLENDER. Well, let Congress change the rules, if it so desires. Let Congress designate more than the five we have. But I would like to see it proceed in an orderly fashion, the same as it has in the past, and if the distinguished Senator from Arkansas—

Mr. FULBRIGHT. Let me ask, why does the Senator seem to think it is so necessary to keep secret the operations in Laos, as opposed to Vietnam? We have great publicity on Vietnam; why does the Senator think it has to be secret, the operation in Laos?

Mr. ELLENDER. It is apparently not secret, since the Senator knows about it. I think the Senator from Missouri (Mr. SYMINGTON) has sent some investigators out there and secured a lot of information that he made public.

Mr. FULBRIGHT. Well, the newspapers published the information before that. We were alerted to the situation when I first

account, and then we sent the people out there to check on it, it was so amazing.

Mr. SYMINGTON. Mr. President, if the able chairman will yield, I have never published any information along this line that was not cleared first.

Mr. FULBRIGHT. One of the reasons why this committee was created was as a result of reading in the newspapers just such stories, because it was incredible that we were supporting an army of 36,000 and paying for it without knowing about it.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. ELLENDER. I yield 10 minutes to the Senator from North Dakota.

Mr. FULBRIGHT. I wonder if the Senator would give us the reason why this should all be secret.

Mr. YOUNG. Mr. President, I have served on this Intelligence Subcommittee on Appropriations for 5 or 6 years, and this is the first time I ever attempted to defend what the CIA or any intelligence agency does. In order to do it, you would have to document your case, and one cannot document intelligence and spying. Spying is a dirty business, but it is a business every nation in the world engages in. Russia does a bigger job of it than we do. You cannot disclose secret information. But it is very valuable to us. It was very valuable to know, when we had the showdown with Cuba, just what the Russians would and would not do.

This five-member committee was not publicized or listed until about 3 or 4 years ago. The House of Representatives does not list their names yet.

You always have to have some secrecy in Government. For example, when the atomic bomb was developed, if there had been more than 10 people in the House and Senate who knew about that, it would have been public knowledge. But this was one of the best kept secrets in history.

You have all kinds of intelligence. For example, the satellites are intelligence-gathering vehicles. Would a weather satellite be an intelligence-gathering vehicle? It could be a part of military intelligence. That knowledge is very important to them. Does the Symington amendment include this?

As to all these press stories we read and hear, this is an interesting subject to write about, of course. People like to read them. I do, too. And if you want to read something very interesting and authoritative where intelligence is concerned, read the Penkovsky papers. Penkovsky was a Russian spy who became very disillusioned with the Russian Government, and told us all he knew about Russian intelligence, and he was caught. He knew he was going to be caught eventually, and he was caught and killed.

But this is a very interesting story, on why the intelligence we had in Cuba was so important to us, and on what the Russians were thinking and just how far they would go. For the life of me, I cannot understand what the amount of money we spend for intelligence would have to do with the Committees on Foreign Relations or Armed Services.

intelligence. So far as I am concerned, there is no objection to that committee from whatever intelligence they are able to get.

Mr. FULBRIGHT. No; I am not interested in the spies and their mistresses, and the Goldfinger type of thing. But here is a vast amount of money. I gave one illustration. Does not the Senator think it is our responsibility to know about the kind of activity in Laos, which I am quite certain is going on? In fact, I know it. But we were first alerted through the newspapers of the army there.

The Senator says it was a tremendous thing to keep the atomic bomb secret. As a matter of fact, suppose it had been known we were making one, what would have been the harm in that? It was not the secrecy that was significant, it was the fact that we succeeded. I do not know why the secrecy was all that important. If they had known we would have it in advance, it is quite possible that we would not have had to drop it. I do not know; that is a speculative matter. But I am not impressed with the argument that it was so important to keep it secret, other than perhaps as far as the technical thing was concerned.

When Roosevelt asked for 50,000 airplanes, everyone knew we were going to build 50,000 airplanes. We did build them; and used them.

But this secrecy and classification has become a god in this country, and those people who have secrets travel in a kind of fraternity like a college secret society, and they will not speak to anyone else. Yet the Senator wants us to appropriate the money and vote for the bill. I want to say that I find it very difficult to vote for a measure as to which I do not know whether the amount involved is \$5 or \$10 billion. When I think about what a poor, second-class Nation we are said to be militarily, although we spend twice as much as the Russians, it occurs to me that it may be \$20 billion, for all I know.

I cannot understand why it is so important to be secret. As the Senator said, we know that the Russians do it, and the Russians know that we do. Everyone knows that we monitor their shots, just like they monitor ours. We all do the same thing. There is no secret about that, except that we do not know what we are spending on it, and how much it is, and we also do not know about the operations that are not intelligence gathering.

It is very unusual that we have an agency called an intelligence agency not operating a war. That is like the Pentagon. It is not gathering intelligence in Laos; I submit it is organizing and paying for a war. It is running airlines and paying for them. That is not intelligence gathering at all.

Mr. YOUNG. Is the Senator talking on his time or mine?

Mr. FULBRIGHT. I just ask the Senator, why should that be a secret? I really do not know. If we hire citizens of other nations to do in Cambodia what our own people are forbidden to do by law, does the Senator think that is good?

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. ELLENDER. I yield 1 more minute.

Mr. YOUNG. I read in the magazines and newspapers where the CIA was supposed to be hiring soldiers in Laos. If they hired some there, I am not opposed to it. The British have hired soldiers for 500 years. If someone was hired to interrupt the movement of goods and equipment down the Ho Chi Minh Trail, I am not opposed to that.

Mr. FULBRIGHT. Maybe it is a good thing, but why the secrecy? I am not now saying that it is good or bad. I am asking, why should it be so secret?

Mr. YOUNG. You can find out that much without knowing the amount of money they are appropriated. The amount of money is certainly not so important as the amount of intelligence. The Senator can get that as well as I can.

Mr. FULBRIGHT. If the money in here for intelligence is \$20 billion, I think that is very important for the Senate to know.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. I yield 10 minutes to the Senator from Mississippi.

Mr. FULBRIGHT. Could the Senator say what percentage the committee cut the budget? Would he say they cut the budget 20 percent, or 10 percent?

Mr. ELLENDER. We cut the budget \$390 million.

Mr. FULBRIGHT. Is that 20 percent, or 10 percent?

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, for what length of time am I recognized?

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 10 minutes.

Mr. STENNIS. May I ask what time remains to the two sides?

The PRESIDING OFFICER. The remaining time is 13 minutes on each side.

Mr. STENNIS. Mr. President, I thank the Senator from Louisiana for yielding to me.

Mr. President, to try to settle a matter such as this, involving our activities all over the world—open and secret—with 45 minutes of debate to a side, to me, is tragic. I want to underscore that to every Member of this body, and with great respect for the author of this amendment. He and I really have rather good feelings for each other, I think.

Mr. SYMINGTON. We certainly do.

Mr. STENNIS. I think it is a great tragedy, and I would like the elected leaders of this body to hear what I am saying about that. It is absolutely impossible even to begin to state the facts, much less argue or explain the procedures about this matter. It is tremendous. It is perhaps the most important work we do in all the national security element.

There has been talk about it not being itemized in the bill. Did you ever see the U-2 itemized in any appropriation bill? Of course not. But it was through the U-2 that we got the most valuable information that perhaps we ever have gotten. It saved us hundreds of millions of dollars. It has been reducing expenditures for the us to arm in time.

I will not go into any further details on that. That is just one illustration.

As I say, you cannot begin to go into this matter. But the question has been raised about the secrecy, why the secrecy, and I refer now to section 6 of the amendments to the National Security Act. The amendments were passed in 1949, as I recall. My time will be up almost by the time I read this special section. This is the law that Congress passed at that time for the security system we were trying to set up.

Section 6. In the interests of the security of the foreign intelligence activities of the United States, and in order to further implement the proviso of section 403(d) . . . of this title, that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the agency shall be exempted from the provisions of section 654 of title V . . .

As I recall hurriedly, this relates to the disclosures. Some of these titles have been repealed, but this is the blanket that was put on it then.

. . . and the provisions of any other law which require the publication or disclosure of the organizations, functions, names, special titles, salaries, or numbers of personnel employed by the agency.

That is the ban of secrecy that was put on it when we enacted this law. That is indicative of what Congress thought about it—suspended all the other requirements, and all laws, and so forth. Further:

Provided that in referring to this section, the Director of the Bureau of the Budget shall make no reports to Congress in connection with the agency under sections 947 . . . of title V.

I understand that that is a reference to personnel, and I do not know what else. Those sections have been repealed a little, changed a little, reenacted, and so forth.

But there is the secrecy. It was in the atmosphere of this guideline that men such as Styles Bridges, former chairman of the Appropriations Committee—some Members of the Senate knew him; the late Senator Russell—many of the Senators knew him; Leverett Saltonstall; and a good number of others worked out a plan, trying to carry out their functions. They worked out a plan whereby this matter would be taken care of.

My goodness, talking about trying to keep something secret from some other Senator or somebody else. Trying to protect this country. It is in that spirit that this matter has been carried on—not a pleasant duty, by any means. I will get out anytime someone holding a responsible position in the Senate, such as our leader, says who has been selected and who will take my place.

This is the most grave thing I have seen come before the Senate, to handle it this way. I have no criticism of my friend here. But that is the gravity of it. It can be proved by other sections of the law.

The whole Central Intelligence Agency is brought into focus here. I want to say that I have been watching them for quite a while. This Agency is conducted in a way that has been reducing expenditures for the

last several years. It has been reducing its budget. It carries on its job in a professional way, in the finest way.

There is a new intelligence plan of some kind. I call it a plan, and we are going into it now. That came out of the White House. We can argue about that, make fun of it. But intelligence is not a laughing matter. We are going into that fully now. I was not advised about it beforehand. I do not expect anybody to give me a great deal of attention, but I wish the chairman of the Armed Services Committee and the ranking member had been advised about it, and Appropriations. But they were not. But we are going into it now.

My impression is that we are talking about someone being kicked upstairs and denied authority and some other fellow put in. I do not know whether that is true or not, but I do not believe it is. Helms does not think so. But we are getting to the bottom of it. As soon as I heard this, I called him up and told him.

You are the only man who has been approved by the committee and the Senate to be Director of the CIA. You are the only man we approved, and you are the only man, so far as I am concerned, who is going to be its director, until we do something about it.

That was with all deference to the deputy. I want a civilian in control of that agency, for my part. We had to approve this man. He assured me that his dominance over it, his effectiveness, his powers over, it will not be diminished one bit. He told us that today. We had a hearing on this matter.

That is just touching the high points. But we are going into it, and we are going to analyze it and study it and have an investigation—if one wants to use that word—if necessary. We do not take these things lightly. The stakes are too high.

Now, about these other agencies. Senators know what they get into. I am not going to delineate any more. I mentioned the U-2. I do not like some things about intelligence. As has been said, spying is spying. But if we are going to have an intelligence agency, we have to have an intelligence agency, and it cannot be run as if you were running a tax collector's office or the HEW or some other such department. You have to make up your mind that you are going to have an intelligence agency and protect it as such, and shut your eyes some and take what is coming.

This is a great deal of money here. I want to refer now to the last few words in the Senator's amendment. I do not know how far down the line that language goes, but I think it goes much farther down the line of intelligence than anything we handled in the method we talked about.

That language is broad enough to go to tactical intelligence. Every military unit in the field has an intelligence officer. In Vietnam they have to go out—we have heard the Senator tell about it—we send a major or a captain out with a patrol to try to take prisoners, and the prisoners are quizzed, to try to find out this language is broad enough to cover that sort of

activity: tactical patrols. But it is not a budgeted item in the bill or in any of the matters I have been talking about. We would not know where to start. I do not know how much these tactical intelligence activities cost. It is not a budgeted item. There is no way to calculate it. That is part of running the Army. That is part of running the Navy. Think, for example, about the big sums of money that must have been spent in Korea on such tactical intelligence.

Mr. FULBRIGHT. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I do not yield at this time. This is all so tragic—so little time I have to yield to any Senator—I can talk to Senators about this matter in the cloakroom, or in their offices, or in my office, but here tonight, in just a few minutes on this ending matter, I am not going to use my time to try to answer questions that way. I say again, I wish the leaders were in here—they are busy somewhere else—so that I could try to impress upon them the necessity for further time. I did not hear the unanimous consent request about the limitation. I was handling another matter then. It will take hours and hours fully to explain this matter, so that this body could intelligently pass on it. The Senator is giving an absolute figure here which, according to the interpretation, is far, far beyond what the Senator would intend to do. So in the last 10 seconds here, let me warn about the necessity that the only thing to do now is to vote this amendment down, and then take up the cudgels and the problem again and work it out some other way.

Mr. SYMINGTON. Mr. President, I am impressed with the observations of the chairman of the Armed Services Committee, his stating this amendment is not drawn properly, and so forth. I wish his interest in the subject had developed to the point where he had held just one meeting of the CIA subcommittee this year.

To show the lack of respect the executive branch has for the Senate, there was not one Senator who was approached in any way before the White House made this basic, major reorganization of our entire intelligence apparatus.

Mr. STENNIS. We will attend to that one Senator, too.

Mr. SYMINGTON. As a longtime member of the Committee on Foreign Relations, as an ad hoc member of the Appropriations Committee and the ranking member of Armed Services, I respectfully plead with my colleagues to allow me to receive in executive session enough intelligence information to in turn form an intelligent judgment on matters which so vitally affect our security; and so I can vote in committee and on the floor of the Senate on the basis of the facts. There have been several cases where I have not been able to do that in the past. In my opinion, this lack of disseminated information has cost the country a great deal of treasure and a number of American lives.

Now, Mr. President, I yield 3 minutes to the Senator from California.

CRANSTON), and then 1 minute to the Senator from Arkansas (Mr. FULBRIGHT).

Mr. CRANSTON. I would like to address some questions to the distinguished chairman of the committee. The chairman stated that he never would have thought of even asking about CIA funds being used to conduct the war in Laos. I am sure I never would have thought to ask such a question. But it appeared in the press that perhaps that was happening. I would like to ask the Senator if, since then, he has inquired and now knows whether that is being done?

Mr. ELLENDER. I have not inquired. Mr. CRANSTON. You do not know, in fact?

Mr. ELLENDER. No.

Mr. CRANSTON. As you are one of the five men privy to this information, in fact you are the No. 1 man of the five men who would know, then who would know what happened to this money?

The fact is, not even the five men, and you are the chief one of the five men, know the facts in the situation.

Mr. ELLENDER. Probably not.

Mr. CRANSTON. The Senator stated that \$390 million has been cut. I applaud that action. Could the Senator tell me what figure in this bill is cut by \$390 million, or is there no figure that has been cut specifically?

Mr. ELLENDER. No specific figure.

Mr. CRANSTON. What is the total figure appropriated—the total amount appropriated by the bill?

Mr. ELLENDER. The total of the bill as reported is \$70,242,513,000.

Mr. CRANSTON. When we run through the bill, we find that there is allocated money for pay and allowances, for individual clothing, for subsistence, for interest on deposits, for retirement pay, for travel, for operation and maintenance, for medical and dental care, for welfare and recreation, for medals and awards, for emblems and other insignia, and then an itemization for the hiring of people, and miscellaneous items such as procurement of aircraft, procurement of naval vessels, leasing of buildings, the purchase of milk, itemized figures on expenses of prisoners, figures for each of those, and so forth. Is the way these items are handled inflated, or bloated, in fact—some of them, at least—that will cover up what is in this bill for intelligence?

Mr. ELLENDER. Yes, the Senator is correct—some of it.

Mr. SYMINGTON. Mr. President, I yield 1 minute now to the Senator from Arkansas.

The PRESIDING OFFICER (Mr. TALMADGE). The Senator from Arkansas is recognized for 1 minute.

Mr. FULBRIGHT. The Senator from Mississippi, whom we all respect so greatly, I think "protesteth too much." All the amendment does is simply to put a ceiling on the overall amount which may be expended for intelligence activities. The amendment has nothing to do with secrecy. It does not in any way seek to make public any of the State secrets the Senator referred to. His comments are utterly irrelevant to the amendment. I think this is a simple amendment, merely trying to put a ceiling on intelligence expenditures. It is also rather odd that the Senator from Mississippi said he does not know what is spent for intelligence, and yet the chairman of the Appropriations Committee said that we cut it \$390 million. What was the original amount from which the cut was made? The overall amount to which the Senator from Missouri (Mr. SYMINGTON) refers is the same thing the Senator from Louisiana, who knows what he is talking about and, as chairman of the committee, spoke to this body about. Yet the Senator from Mississippi says he has no idea what is spent for intelligence.

The Senator from Louisiana knows what total he is talking about when he says it was cut \$390 million. The Senator from Louisiana certainly has some figure in mind. He was not talking about sergeants going out, looking for booby traps. He had some total figure in mind. It is strange that the chairman of the Armed Services Committee has no idea what the Senator from Louisiana is talking about.

Mr. STENNIS. Will the Senator from Arkansas yield at that point?

Mr. FULBRIGHT. I do not yield to the Senator on my time. The Senator refused to yield to me. The Senator from Mississippi has tried his best to obfuscate this matter. If he is as serious about this thing as he says he is—and I think this is a serious matter, as a matter of fact, the most serious thing we have before us—I do not think it is tragic to bring it up. So why do we not have an executive session and talk about it at length?

If the Senator from Mississippi would like to have an executive session, we could talk about it all day, sometime next week, when we return after Thanksgiving.

We talk about intelligence. It is no secret from anyone that we are waging war in Laos and have been for a long time.

Mr. SYMINGTON. Mr. President, following the thought of the Senator from Arkansas, if the able chairman of Appropriations, the Senator from Louisiana (Mr. ELLENDER) and the able chairman of the Armed Services, the Senator from Mississippi (Mr. STENNIS) will agree to a secret session next week, so we could discuss this matter more thoroughly, I will withdraw my amendment tonight.

I ask the Senator from Louisiana and the Senator from Mississippi if they would agree to such a session?

Mr. ELLENDER. Answering for myself, I would like to complete this bill. If the Senator desires to talk about it after the bill is completed in executive session, that is all right with me. But I would not want it to interfere with the final passage of the bill.

Mr. SYMINGTON. Why not let the bill wait until we get more facts about the many billions of dollars involved?

Mr. ELLENDER. As I have said, we agreed on the time for the Senator to discuss the amendment. I am very anxious to complete the bill today if possible.

Mr. SYMINGTON. Mr. President, there has been much criticism of the time limitation and I see the majority whip on the floor. He would be the first to say I was anxious we not have any limita-

Mon. But I did finally agree. I also agree with the Senator from Mississippi that there should not be a limitation on time. But if we want to proceed I ask unanimous consent we have another 2 hours.

Mr. GOLDWATER. I object.

The PRESIDING OFFICER. Objection is heard. Who yields time?

Mr. FULBRIGHT. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Missouri has 5 minutes remaining.

Mr. SYMINGTON. Mr. President, I say to my colleagues that I have been told in confidence different figures concerning how much money we were actually expending on national intelligence. As a result of people going into foreign lands we now know that much of what we are doing is both costly and unwise, actions we would have undertaken if we had had the right information. As the Senator from California pointed out, if we had had more information on certain important issues, we would have made different decisions.

All this amendment does is say we cannot spend more than \$4 billion on intelligence this fiscal year.

I would hope that the Senate would agree.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. FULBRIGHT. Mr. President, I agree with what the Senator from Mississippi said about the importance of this. He said that we cannot dispose of all of this in a few minutes. I agree.

This amendment is a very important amendment. It seems to me that when this matter was brought up before, we did have an executive session and did discuss the matter.

Today we are much more critical of the amount of money we spend than we were at the time when the program developed.

It is important that the Senate, as a whole, understands what the intelligence program is. I would think the Senate would welcome an opportunity to have this explained. It would satisfy curiosity about this matter.

One of the things that worries me most of all is that I do not see any reason why we should pass appropriations for the CIA to organize an army, pay the troops, and conduct a full-scale war in Laos. Yet people of this country think we have a democracy in which a war, if one is to be fought, has to be declared by Congress. Yet Congress did not know about the war in Laos until it was well underway.

Today, while the war is known to everyone, there still is no official acknowledgment. There is nothing in this bill to indicate how much money we will spend in support of the army in Laos. It will be many millions of dollars. I do not see how we could support an army of the size we do without that much money.

I do not see what is wrong with knowing these things. This is an operation. This is not intelligence. It is the difference between the U-2 and the affair in the Dominican Republic, and upsetting the government in Guatemala. Maybe these things ought to be known so that Congress ought to know about them so that it can decide.

Mr. SYMINGTON. One of the great surprises of my life was to find out how much of the money in this intelligence budget actually goes to the Central Intelligence Agency. The Senator feels the situation in Laos is very wrong. We could talk about other situations.

Mr. FULBRIGHT. The Senator reminds me of something about Mr. Helms. Mr. Helms has been far better with the Congress than any other intelligence man with whom we deal. I would put him at the top. The recent reorganization looks like an effort to curb Mr. Helms in favor of the Pentagon, and this what I do not like.

Mr. SYMINGTON. I do not either, moving into the hands of the military.

Mr. MATHIAS. Mr. President, the old saying that some may apply to this amendment is that one should not stir muddy water. For the Senator from Missouri has focused our attention on water that is not only muddy, but actually murky. Many Members may be reluctant to stir this water for fear of what they may find. I think we cannot delay much longer in turning our attention in this direction for fear that what is there may evade our examination and our concern.

But I find it intolerable that we should attempt to debate and decide this question with such a complete lack of firm facts and reliable information, and with the limitation of time and freedom of expression that is necessary under existing conditions. Under the circumstances, I feel unable to support this amendment at this time. I would support, however, a motion to hold an executive session at an early date at which the whole issue could be thoroughly and thoughtfully considered.

An alternative to an executive session of the whole Senate might be a joint meeting of the Foreign Relations and Armed Services Committees under appropriate conditions that would permit adequate investigation without jeopardizing security. While proper security is a national requirement, yet the Congress must have the facts in order to resolve the issues that are embodied in the reports of a secret war in Laos and other covert activities alleged to be conducted by one or another of our intelligence agencies.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Missouri. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana (Mr. HARTKE), the Senator from South Dakota (Mr. McGOVERN), the Senator from Maine (Mr. MUSKIE), the Senator from Louisiana (Mr. LONG), and the Senator from Utah (Mr. MOSS) are necessarily absent.

I further announce that the Senator from Idaho (Mr. CHURCH) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Maryland (Mr. BEALL), the Senator from New York (Mr. JAVITS), the Senator from Maine (Mrs. SMITH) are necessarily absent.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Illinois (Mr. PERCY) is detained on official business.

The Senator from Ohio (Mr. SAXBE) is absent on official business.

If present and voting, the Senator from Illinois (Mr. PERCY) and the Senator from Maine (Mrs. SMITH) would each vote "nay."

The result was announced—yeas 31, nays 56, as follows:

[No. 394 Leg.]

YEAS—31

Bayh	Hart	Nelson
Burdick	Hatfield	Pell
Byrd, W. Va.	Hughes	Proxmire
Case	Humphrey	Randolph
Chiles	Inouye	Ribicoff
Cooper	Kennedy	Stevenson
Cranston	Magnuson	Symington
Eagleton	Mansfield	Tunney
Fulbright	Metcalfe	Williams
Gravel	Mondeale	
Harris	Montoya	

NAYS—56

Aiken	Eastland	Miller
Allen	Ellender	Packwood
Allott	Ervin	Pastore
Anderson	Fannin	Pearson
Baker	Fong	Roth
Bellmon	Gambrell	Schweiker
Bennett	Goldwater	Scott
Bentsen	Griffin	Sparkman
Bible	Gurney	Spong
Boggs	Hansen	Stafford
Brock	Hollings	Stennis
Brooke	Hruska	Stevens
Buckley	Jackson	Taft
Byrd, Va.	Jordan, N.C.	Talmadge
Cannon	Jordan, Idaho	Thurmond
Cook	Mathias	Tower
Curtis	McClellan	Welcker
Dole	McGee	Young
Dominick	McIntyre	

NOT VOTING—43

Beall	Long	Percy
Church	McGovern	Saxbe
Cotton	Moss	Smith
Hartke	Mundt	
Javits	Muskie	

So Mr. SYMINGTON's amendment was rejected.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENTS

Mr. MANSFIELD. Mr. President, it has been a long and hard 3 weeks. I know that some Senators are getting tired. Some would like to put the bill over until tomorrow. Others—I believe a majority—would like to finish it tonight.

It is my understanding that as of now we have only one amendment in contention, and the distinguished Senator from New Hampshire (Mr. McINTYRE) has indicated that he would be willing to agree to a limitation of 20 minutes.

I ask unanimous consent that the Senator from New Hampshire be allotted 15 minutes and that the manager of the bill be allotted 5 minutes on that amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I understand that another possibly contentious amendment will not be offered, and that there will be an amendment offered by the distinguished Senator from Nevada (Mr. CANNON) and by the